



Docket No. PHUS-28
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
FAOUR, J. et al.

Group Art Unit: 1614

Serial No.: 09/770,901

Examiner: N/A

Filed: January 26, 2001

For: Pharmaceutical Compositions Containing
a Cox-II Inhibitor and a Muscle Relaxant

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

<p><u>CERTIFICATE OF MAILING</u> <u>UNDER 37 C.F.R. § 1.8(a)</u></p> <p>I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231 on September 17, 2002.</p> <p>Richard M. Moskos (Typed or Printed Name)</p> <p><i>[Signature]</i> (Signature)</p>

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

The following sections are submitted for this Information Disclosure Statement:

1. X Preliminary Statements
2. X FORM PTO - 1449
3. Statement As To Information Not Found in Patents or Publications
4. Identification Of Prior Application In Which Information Was Cited And For Which No Copies Are Submitted Or Need Be Submitted
5. Cumulative Patents or Publications
6. Translation(s) of Non-English Language Documents
7. Concise Explanation of Non-English Language Listed Information Items
8. X Copies of Listed Information Items Accompanying This Statement
9. X Identification of Person(s) Making This Information Disclosure Statement

Section 1. Preliminary Statements

Applicant submits herewith patents, publications or other information which may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The filing of this Supplemental Information Disclosure Statement shall not be construed as a representation that a search has been made (37 CFR 1.56(g)), or as an admission that the information cited is, or is considered to be, material to patentability.

The filing of this Supplemental Information Disclosure Statement shall not be construed as an admission against interest in any manner.

Section 2. FORM PTO - 1449

Form PTO - 1449 (1 pages) is enclosed herewith.

Section 3. Statement As To Information Not Found In Patents Or Publications (Information not listed in PTO 1449)

Section 4. Identification Of Prior Application In Which Information Was Cited And for Which No Copies Are Submitted Or Need Be Submitted

This application relies, under 35 U.S.C. 120, on the earlier filing date of prior application S/N _____, filed on _____.

Section 5. Cumulative Patents or Publications

_____ is cumulative of the following patents or publications listed on Form PTO 1449:

In accordance with 37 CFR 1.98(c) a copy of only _____ is being submitted with this information disclosure statement.

Section 6. Translation(s) of Non-English Language Documents

☐ Submitted herewith is an English translation of the following foreign language patents, publications or information or of those portions of those patents, publications or information considered to be material.

☐ No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.

☐ The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith.

Section 7. Concise Explanation of Non-English Language Listed Information Items

Section 8. Copies of Listed Information Items Accompanying This Statement

Legible copies of all items listed in Form PTO-1449 accompany this information statement.

☐ Exception(s) to above

☐ Items in prior application from which an earlier filing date is claimed for this application as identified in Section 4.

☐ Cumulative patents or publications identified in Section 5.

Section 9. Identification of Person(s) Making This SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

The person making this statement is

(a) ☐ the inventor(s) who signs below

Signature of Inventor

Typed name of inventor


(b) ☒ the agent who signs below on the basis of:

- ☐ information supplied by the inventor(s)
- ☐ information supplied by an individual associated with the filing and prosecution of this application (37 CFR 1.56(c))
- ☒ information in the agent's file

It is respectfully requested that the references identified in this Supplemental Information Disclosure Statement be considered by the Examiner, be made a part of the official record, and be cited in the issued patent.

Respectfully submitted,

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Complete if Known

Applicati n Number	09/770,901
Filing Date	January 26, 2001
First Named Invent r	Faour, J.
Group Art Unit	1614
Examiner Name	
Attorney Docket Number	PHUS-28

(use as many sheets as necessary)

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FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
		WPO	WO 86/03681		Sunshine et al.	07/03/1986		
		WIPO	WO 94/03166		Merck & Co, Inc.	02/17/1994		
		WIPO	WO 97/20551		Jooste et al.	06/12/1997		
		France	2.121.529		Merck & Co, Inc.	12/31/1971		

⁶ Applicant is to place a check mark here if English language Translation is attached.

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